

IN RE: PETITION FOR ZONING VARIANCE  
NE Corner Liberty Road and  
Kings Point Road  
(Marriott Plaza)  
2nd Election District  
2nd Councilmanic District  
Stanley J. Orlove  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-73-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a front yard setback of 12 feet in lieu of the required 31.5 feet for an existing snowball stand as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. Also appearing on behalf of the Petition was Susan E. Bartz, Contract Lessee of a portion of the subject property. The following individuals appeared and testified in Protest: Laura Bledsoe, Ethel M. Carter, President of Kings Point Park Association, Inc., Bruce Levin, Program Coordinator for Kings Point Square Shopping Center, formerly known as Deer Park Plaza, and David Stein, member and representative of Liberty Communities Development Corporation, Inc.

Testimony indicated that Petitioner is the owner of a shopping center known as the Marriott Plaza which is located in the 9500 Block of Liberty Road. In May, 1988, Susan Bartz leased a portion of the subject property from Petitioner and erected a snowball stand on the parking lot, approximately 12 feet from the property line in the vicinity of the intersection of Liberty Road and Marriottville Road. As a result of a complaint filed by area residents, the instant Petition was filed requesting permission to leave the snowball stand at its present location rather than relocating it 31.5 feet from Liberty Road as required by the Baltimore County Zoning Regulations (B.C.Z.R.).

Mr. Orlove testified that he felt the snowball stand in its present location was safer than placing it 31.5 feet back from the property line which would result in it being in the middle of the parking lot, which would create more of a hazard for patrons, pedestrians, and vehicular traffic. He testified that after reviewing the plan, he would be willing to move the structure 12 feet from the property line but closer to the center of the parking lot, further from the intersection of Liberty Road and Marriottville Road where there is less activity. He indicated that while he felt the present location of the snowball stand was safe, he agreed with the Protestants that the Liberty Road/Marriottville Road corridor is a congested area.

Mrs. Bartz testified that she has operated the snowball stand from its present location for the past five months and does not believe that for it to remain in its present location would cause any problems.

Laura Bledsoe, a resident of the area, testified that in her opinion, the location of the snowball stand is both an unsafe situation and detrimental to the community because it is unsightly. She testified that its present location is in a very congested area.

Ethel Carter, President of the Kings Point Park Association, indicated that the Association represents 530 families in the Kings Point Park area, the Executive Board has discussed the relief requested and is opposed to the granting of the requested variance as the Board feels it would be detrimental to the health, safety and general welfare of the community. In her opinion, the placement of the snowball stand so close to the front yard property line impedes sight distance and adversely affects the beautification efforts made by the various neighborhood associations and property owners in the area.

-2-

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 232.1, 303.2 to permit a front yard setback of 12 feet in lieu of the required 31.5 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The snowball stand is located in the parking lot of an existing shopping center in the row of parking spaces closest to Liberty Road. To move the stand further back into the center in compliance with the regulations would cause a safety hazard to pedestrians walking in the travel lanes of the lot.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
Susan E. Bartz  
(Type or Print Name)  
Signature  
Address  
City and State  
21133

Legal Owner(s):  
Stanley J. Orlove  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature  
Address  
City and State  
Pikesville, MD 21208

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State  
Pikesville, MD 21208

Attorney's Telephone No.:  
Address  
City and State  
Pikesville, MD 21208

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of July, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of September, 1988, at 2:30 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

LENGTH OF HEARING - 1/2HR. + 1HR.  
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER DATE  
REVIEWED BY: DATE

Bruce Levin, Program Coordinator for the adjoining Kings Point Park Shopping Center located in the 9900 Block of Liberty Road, testified that the owners of Kings Point Park Shopping Center are opposed to the requested variance as in their opinion it is detrimental to the efforts made by the community to improve the Liberty Road corridor by improving the aesthetics of the property off of Liberty Road. The requested variance so close to the road and not in strict compliance with the B.C.Z.R. will have an adverse impact on the general welfare of the community.

David Stein a Planner with the Liberty Communities Development Corporation, introduced as Protestant's Exhibit 3 the minutes from the Board of Directors' meeting of September 19, 1988 which indicates the Board of Directors' opposition to the requested variance. He testified that the community is attempting to administer streetscape improvements to the Liberty Road corridor by upgrading existing landscaping and improving the planning for the area. In his opinion, the requested variance, whether it be 12 feet from the front yard property line near the intersection of Liberty Road and Marriottville Road, or 12 feet from the front yard property line more towards the center of the parking lot, would be detrimental to the general welfare of the community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the

#### DESCRIPTION FOR VARIANCE

Beginning at a point on the north side of Liberty Road (as proposed to be widened to 80 feet) at its intersection with the east side of Kings Point Road, 60 feet wide, and running thence along the fillet, South 18° 53' 07" West, 23.51 feet; thence along the east side by a curve to the left with a radius of 1279.43 feet for a distance of 211.96 feet; thence leaving said right of way and running North 87° 07' 40" East, 131.30 feet; thence southerly by a curve to the left with a radius of 125.00 feet and a distance of 118.74 feet; thence South 57° 18' 02" East, 164.69 feet; thence easterly by a curve to the left with a radius of 125.00 feet for a distance of 114.22 feet; thence South 59° 49' 05" East 230.67 feet; thence South 30° 10' 55" West, 295.00 feet to the north side of Liberty Road; thence North 57° 18' 02" West, 650.85 feet to the point of beginning. Containing 4.6992 acres, more or less.

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 2nd  
Date of Posting: September 22, 1988  
Posted for: Variance  
Petitioner: Stanley J. Orlove  
Location of property: NE Corner Liberty Road and Kings Point Road  
(Marriott Plaza)  
Location of Sign: NE Corner of Liberty Road in front of subject property  
(SNOWBALL STAND)  
Remarks:  
Posted by: S. J. Orlove  
Number of Signs: 4  
Date of return: September 23, 1988

#### CERTIFICATE OF PUBLICATION

TOWSON, MD. August 25, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on August 25, 1988

37.50 THE JEFFERSONIAN,  
S. Zabe-Orlove  
Publisher

district or whether a lesser relaxation than that applied for would give substantial relief; and  
3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would be contrary to the spirit of the B.C.Z.R. and would result in substantial detriment to the public health, safety, and general welfare.

Petitioner was advised at the hearing that the burden of proof is upon him to prove the relief requested sufficiently complies with the requirements set forth in Section 307 of the B.C.Z.R. before the relief can be granted. Petitioner has failed to prove that the granting of the subject variance result in unreasonable hardship and/or practical difficulty or would not adversely affect the health, safety and general welfare of the public.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October, 1988 that the Petition for Zoning Variance to permit a front yard setback of 12 feet in lieu of the required 31.5 feet for an existing snowball stand in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County  
ANN:bjjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

October 19, 1988

Mr. Stanley J. Orlove  
1517 Reisterstown Road  
Pikesville, Maryland 21208

RE: PETITION FOR ZONING VARIANCE  
NE Corner Liberty Road and Kings Point Road  
(Marriott Plaza)  
2nd Election District - 2nd Councilmanic District  
Stanley J. Orlove - Petitioner  
Case No. 89-73-A

Dear Mr. Orlove:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

cc: Ms. Susan E. Bartz  
8813 Pleskone Drive  
Randallstown, Md. 21133

Mr. Bruce Levin  
D.P. Limited Partnership  
1018 Munsey Building  
Baltimore, Md. 21202

Mr. Laura Bledsoe  
3610 Tolworth Circle  
Randallstown, Md. 21133

Mr. David Stein  
Liberty Communities Dev. Corp.  
3820 Fernside Road  
Randallstown, Md. 21133

Ms. Ethel M. Carter  
9020 Clarendon Road  
Randallstown, Md. 21133

People's Counsel, File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: 9/22/88

Ms. Susan E. Bartz  
8813 Pleskone Drive  
Randallstown, Maryland 21133

Re: Petition for Zoning Variance  
CASE NUMBER: 89-73-A  
NE/C Liberty Road and Kings Point Road  
(Marriott Plaza)  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Stanley J. Orlove  
Contract Purchaser(s): Susan E. Bartz  
HEARING SCHEDULED: MONDAY, SEPTEMBER 21, 1988 at 2:30 PM. PM 5:10/11/88 at 9:00 AM

Dear Ms. Bartz:

Please be advised that \$70.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 059078  
DATE 10/11/88 ACCOUNT R-01-615-000  
AMOUNT \$ 90.00  
RECEIVED FROM: Susan Bartz  
FOR: Posting of Signs 10/11/88  
B 8011-000089-73-A  
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-73-A  
NE/C Liberty Road and Kings Point Road  
(Marriott Plaza)  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Stanley J. Orlove  
Contract Purchaser(s): Susan E. Bartz  
HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 21, 1988 at 2:00 p.m.

Variance to permit a front yard setback of 12 feet in lieu of the required 31.5 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

August 20, 1988

# NOTICE OF REASSIGNMENT

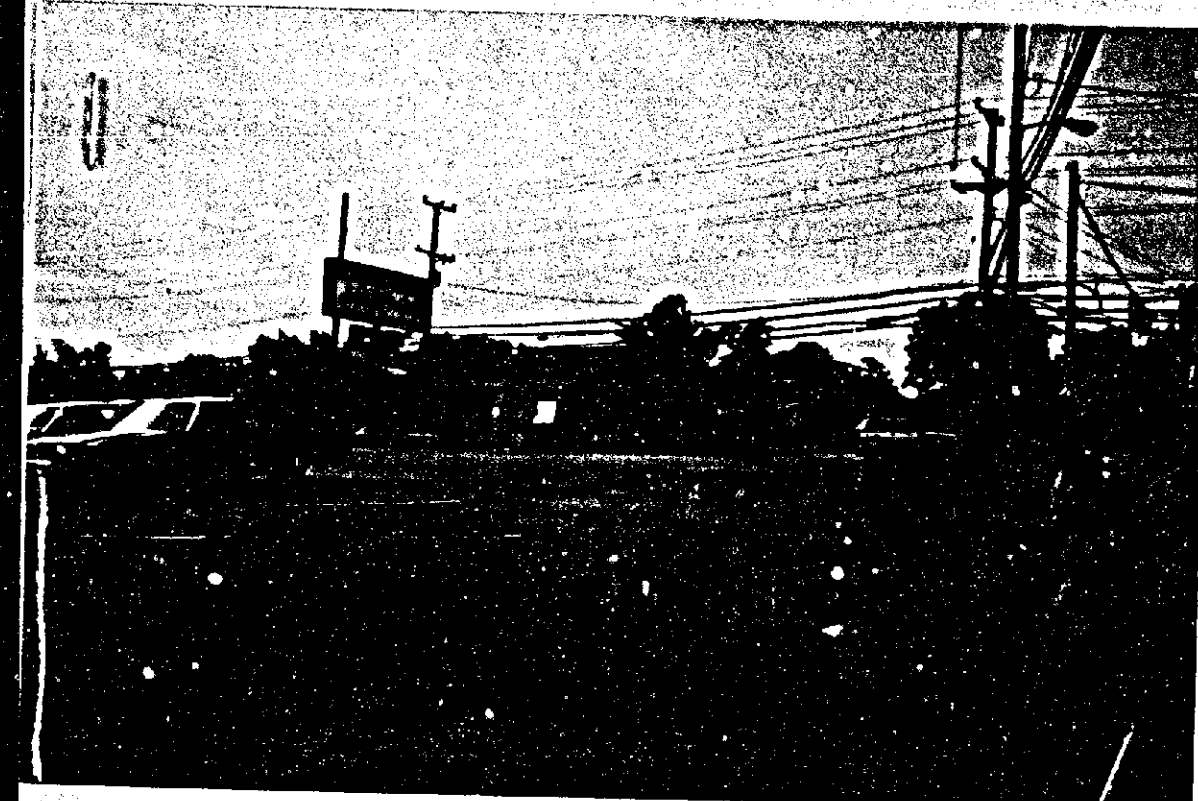
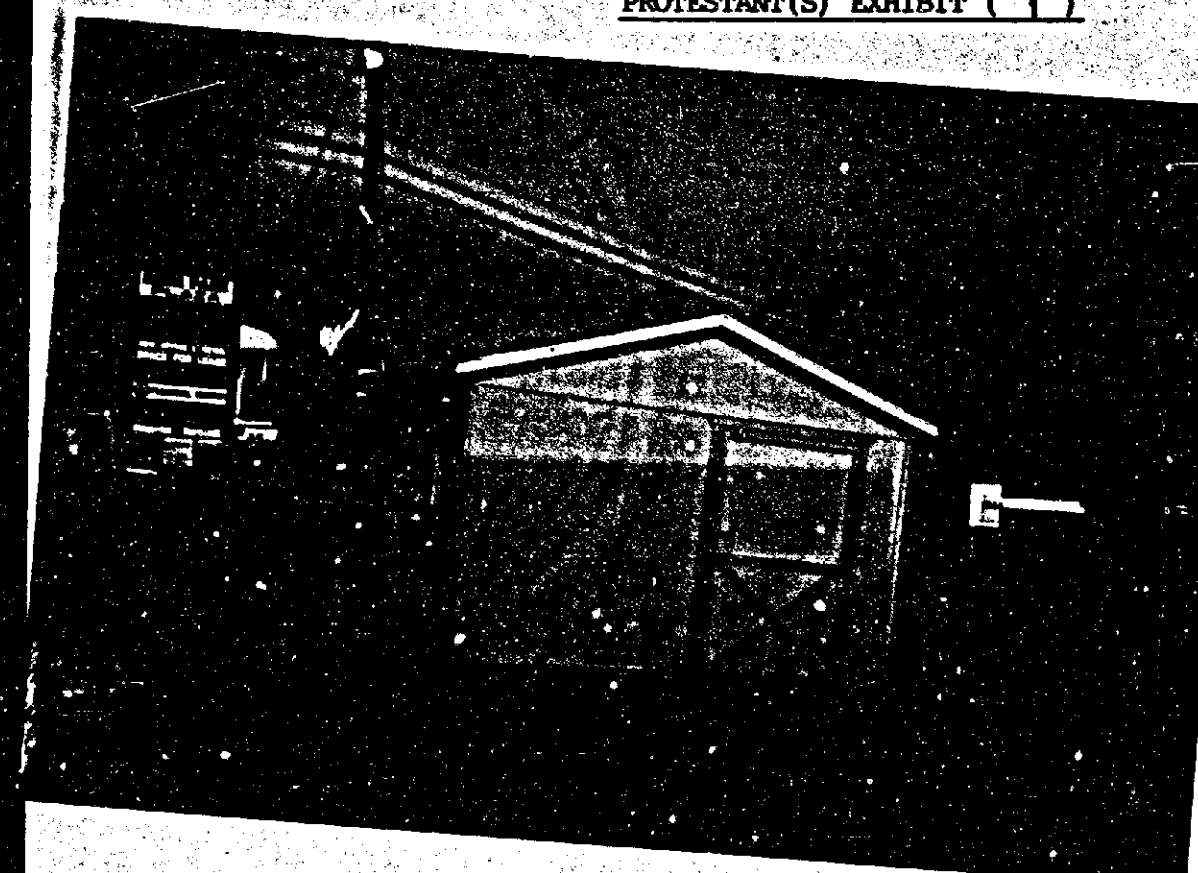
CASE NUMBER: 89-73-A  
NE/C Liberty Road and Kings Point Road  
(Marriott Plaza)  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Stanley J. Orlove  
Contract Purchaser(s): Susan E. Bartz

which had been assigned for hearing on Wednesday, September 21, 1988 has been changed to a later date and has been

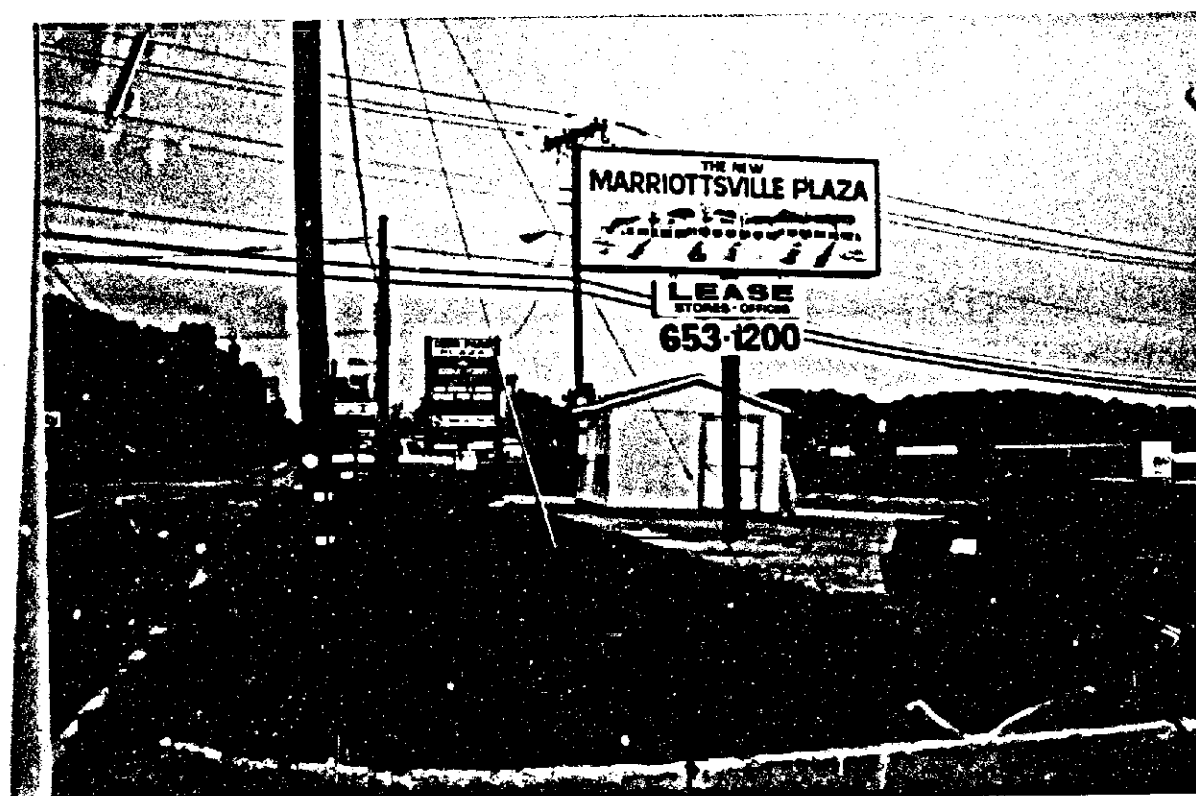
REASSIGNED FOR: TUESDAY, OCTOBER 11, 1988  
at 9:00 a.m.

cc: Stanley J. Orlove  
Susan E. Bartz  
Rick S. Singer  
George Harrison  
Laura Bledsoe  
Daniel J. Bartolini  
File

PROTESTANT(S) EXHIBIT (1)



PROTESTANT(S) EXHIBIT (2)



PROTESTANT(S) EXHIBIT (1)



PROTESTANT(S) EXHIBIT (2)



PROTESTANT'S  
EXHIBIT (3)  
LIBERTY COMMUNITIES DEVELOPMENT CORPORATION, INC.  
3820 Fernside Road, Towson, MD 21204 (301) 653-7766

Board of Directors' Meeting

September 19, 1988

Minutes

Present: Joseph Lepski, Gene Hamilton, Lucille Whittingham, Glenn Manning, Nancy Isaac, Ben Seaman, Jack Kiner, Bill Proctor, Doug Stiegler, Howard Kohn, Pat Nickel, Al Sherry, Ray Kipnes, Maurice Swanson.

Guests: Robert Edd, Kemp Jayadeva, Alyssa Gabbay, Ruth Nasdor, Bruce Levin, David Stein and Jim Janas.

The President, Joseph Lepski, called the meeting to order at 7:05 p.m.

Minutes: The minutes were approved as written.

Membership: Alan Kaplan was not present and David Stein gave the Report. New members included:

Maryland Data Products  
Pizza George  
Morris Shade  
Mario's Restaurant  
Baskin Robbins  
Uncle Willie's Gourmet BBQ  
Regency Center Limited Partnership  
Sams Barber Shop  
Trout Segal and Doyle Management Company

We now have a total of 161 business members.

Financial Report: The Treasurer, Gene Hamilton, gave a verbal Report showing \$3,021.20 in the County account and \$349.44 in the private account.

Collective Advertising: Pat Nickel reported that the next ad was due out October 12th. Any business wishing to participate should contact her.

Zoning: David Stein reported and detailed the fact that we were working out covenant agreements on two zoning issues, one with Mr. Kemp Jayadeva for an office building at Liberty and Offutt Roads and another for Chapman Gardens. After some discussion the covenants were referred to the Executive Committee for the final review.

Jim Janas and Lucille Whittingham explained a petition by Edward Ruppert for a Special Hearing to approve the storage and repair of hauling trucks and equipment at Old Court Road and Parkfield Road. The petitioner was seeking to bring the business into conformity with County standards after years of operation. The Board discussed the need to protect against any expansion or substantial change in the business. Mr. Ruppert would attend a future Executive Committee, prior to the hearing, to attempt to work out a suitable agreement.

Bell Mechanical, Inc. had petitioned for a variance to allow for expansion of their facilities on Ellen Road. Jim Janas suggested that the project would not have a significant impact on Liberty Road, itself, but it would affect the nearby residential community. The staff had notified RENEW of this zoning issue and the Board chose not to take a position on the request.

Marriottsville Plaza and the owners had petitioned for a variance which would allow for the existing Sno Ball stand. The staff had contacted the owners on this issue. Several Board members and guests spoke against this request arguing that the stand was unsightly and detracted from the area. Additionally, other stands had, in fact, complied with zoning requirements. Jack Kiner moved that LCDC oppose this petition, Ben Seaman seconded the motion which passed.

CIP Funds: Alan Cohen couldn't attend the meeting and Jim Janas made this report.

We had formally submitted our CIP requests on July 28th. On August 31st the County Executive responded by letter.

Lower Liberty Streetscape - The County remained "completely and totally committed to follow through with beautifying the County-city line area." The plans, however, would have to be modified again.

Deer Park Streetscape - The County agreed with this proposal and requested that we quantify the property owners willing to participate. The staff reported that both the owners of Kings Point Square and Fair Lanes agreed to participate.

Signage, Public and Community - The County was going to allocate \$35,000 for this project. Staff would work through the CIP committee to develop the program.

Traffic engineering Study - The Executive suggested that rather than a study we work with the Traffic Engineering Dept.

Landscaping and Amenities - The County agreed with this proposal. The staff was instructed to develop and implement a strategy which would allow for input from both LCDC members and community groups.



# Other Business

Bradleys - David Stein reported that we had been in contact with Hechingers and they had stated that they intended to lease out the Randallstown store.

Crab Shell Restaurant - The staff was instructed to set up a meeting with the new owner of this business.

Jack Kiner explained that he had attended the Councilman's Neighborhood Leadership Committee and was troubled by several matters including an equitable distribution of County resources to Liberty Road, handicapped parking and the relationship and communication between the business and residential sectors. Following a discussion the President appointed Jack as Chairman of a committee which would examine the need to improve communications with community groups.

The meeting adjourned at 8:50 p.m.

PROTESTANT(S) EXHIBIT (4)



89-73-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
th day of July, 1988.

*J. Robert Haines*  
ZONING COMMISSIONER

Petitioner: Stanley J. Orlove  
Attorney

Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reinke  
Chief

July 15, 1988

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204



Dennis F. Rasmussen  
County Executive

Re: Property Owner: Stanley J. Orlove

Location: NE/C Liberty Rd., and Kings Point Rd.

Item No.: 471

Zoning Agenda: Meeting of 7/5/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 15, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. Stanley J. Orlove  
1517 Reisterstown Road  
Pikesville, Maryland 21208

RE: Item No. 471 - Case No. 89-73-A  
Petitioner: Stanley J. Orlove  
Contract Purchaser: Susan E. Bartz  
Petition for Zoning Variance

Dear Mr. Orlove:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

cc: Susan E. Bartz  
8813 Flagstone Drive  
Randallstown, Maryland 21133



## Maryland Department of Transportation State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

July 26, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
Att: James Dyer

Re: Baltimore County  
Stanley J. Orlove  
Property  
Zoning meeting 7/5/88  
N/E/C of Liberty Road  
MD 26  
and Kings Point Road  
Item #471

Dear Mr. Haines:

After reviewing the submittal for a variance to permit a front yard setback of 12' in lieu of the required 31.5', we find the plan acceptable.

If you have any questions, please call Larry Brocato of this office (333-1350).

Very truly yours,

*Cruston J. Mills, Jr.*  
Cruston J. Mills, Jr.  
Chief Bureau of Engineering  
Access Permits

LB/es

cc: J. Ogle

RECEIVED  
JUL 28 1988  
ZONING OFFICE

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0481 D.C. Metro - 1-800-482-5052 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: *Mr. Haines*  
FROM: *Mr. Brocato*  
SUBJECT: *Case No. 89-73-A*  
DATE: *7/26/88*

LOCATION OF MATTER: *NE/C Liberty Rd. and Kings Point Rd.*  
ADDRESS: *1517 Reisterstown Rd. Pikesville, MD 21208*

DATE: *7/26/88*  
TIME: *10:00 AM*  
PLACE: *County Office Building*

RE: *Case No. 89-73-A*  
SUBJECT: *Case No. 89-73-A*  
DATE: *7/26/88*  
TIME: *10:00 AM*  
PLACE: *County Office Building*

RE: *Case No. 89-73-A*  
SUBJECT: *Case No. 89-73-A*  
DATE: *7/26/88*  
TIME: *10:00 AM*  
PLACE: *County Office Building*

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
494-3534

July 25, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number

458, 459, 460, 462, 464, 465, 467, 468, 470, and 471.

Very truly yours,

*Stephen E. Weber*  
Stephen E. Weber, P.E.  
Assistant Traffic Engineer

SEW/RF/cps

RECEIVED  
JUL 28 1988  
ZONING OFFICE



File

August 31, 1988

Mr. J. Robert Haines,  
Zoning Commission of  
Baltimore County  
Office of Planning and Zoning  
Towson, Maryland 21204

RECEIVED ZONING OFFICE  
DATE: 9/1/88

Dear Mr. Haines,

I feel the problem with the snowball stand at Liberty and Marriottsville Road is that it EXISTS not that it exists 12 feet back instead of the required 31.5 feet. It is an unsafe situation too. I'm sure you will recall the accident in Towson one Saturday night this summer at a snowball stand that resulted in the death of two persons. The snowball stand is in feet of a major intersection as well as in a parking lot. It is unsightly and probably does not meet health department requirements. I don't understand how it is allowed to operate when in recent summers fruit and vegetable stands were not allowed to sell on this very parking lot by order of the Zoning Office.

I will not be able to get off from work to attend this hearing on September 21st. I do hope my feelings regarding this matter will be presented and considered.

Thank you in advance.

Sincerely,

Laura Bledsoe  
Laura Bledsoe  
9810 Tolworth Circle  
Randallstown, MD. 21133  
922-7389

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

Date: August 30, 1988

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Zoning Advisory Committee Comments

Snowball Stand - No. 471 Zoning Petition 89-73-A

The Office of Planning and Zoning has no objection to this stand, however, a cautionary note regarding the issue of possible traffic stopping at Liberty Road should be addressed.

CPS-008

cc: Mr. Susan E. Partz  
9-8-88

The Village of King's Park Association, Inc.  
Randallstown, Maryland 21133

September 13, 1988

Mr. Robert Haines  
Zoning Commissioner of Baltimore County  
Office of Planning and Zoning  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: 89-73A #471

Dear Mr. Haines:

The Village of King's Park Association, Inc. protests the request for a variance to allow a setback of an additional 12ft. in lieu of the required 31.5 feet for a snowball stand located on Northeast Liberty Road and Kings Point Road (Marriott Plaza), 2nd Constimatic District; Petitioner: Stanley J. Orlove. The hearing is scheduled for Wednesday, September 21, 1988, at 2:00 p.m.

At our meeting held on August 29, 1988, the body voted to oppose the variance for many reasons. The community is in favor of the complete removal of the snowball stand. The present location (even with requested setback) impedes traffic and creates hazardous conditions for pedestrians. Because of the location of the snowball stand, we are plagued with persons hopping out of cars to purchase snowballs. It has also been a gathering place for teenagers to congregate. We have studied the petitioner's request and cannot envision a better operation if the setback is granted.

Because the variance would adversely affect our health, safety and serenity, we request that you deny the petitioner's request.

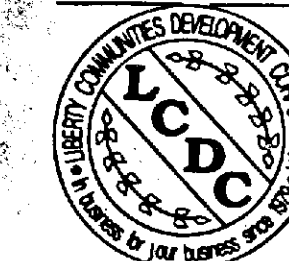
Sincerely,

Ethel Carter

Ethel M. Carter  
President

CC: The Honorable Melvin G. Mintz  
Laura Bledsoe

RECEIVED  
SEP 14 1988  
ZONING OFFICE



LIBERTY COMMUNITIES DEVELOPMENT CORPORATION, INC.  
3820 Fernside Road • Randallstown, MD 21133 • (301) 655-7766

October 6, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
Baltimore County  
County Office Bldg.  
Towson, MD 21204

Re: Case Number: 89-73-A

Dear Commissioner Haines:

As you know, the above case was originally scheduled for Wednesday, September 21, 1988 and a member of the LCDC staff did travel to testify but the hearing was postponed. Unfortunately, we have an unavoidable conflict on the new hearing date of October 11th and I, therefore, wanted to communicate our position on this request through the mail.

The Board of Directors of the Liberty Communities Development Corporation considered this petition at their September 19, 1988 meeting. They voted to oppose the request (please see the attached minutes). The Board took this position because they felt that the Sno Ball stand detracted from the area, particularly the renovations at King's Point Square Shopping Center. They also felt that there is a proliferation of stands along the corridor and they should be required to meet all zoning standards.

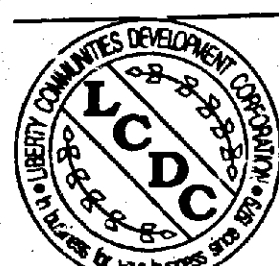
I would like to thank you for your consideration.

Sincerely,

Jim Janas  
Director, LCDC

Attachment

RECEIVED  
OCT 7 1988  
ZONING OFFICE



LIBERTY COMMUNITIES DEVELOPMENT CORPORATION, INC.  
3820 Fernside Road • Randallstown, MD 21133 • (301) 655-7766

Board of Directors' Meeting

September 19, 1988

Minutes

Present: Joseph Lepski, Gene Hamilton, Lucille Whittingham, Glenn Manning, Nancy Isaac, Ben Seaman, Jack Kiner, Bill Proctor, Doug Stiegler, Howard Kohn, Pat Nickel, Al Sherry, Ray Kipnes, Maurice Swanson.

Guests: Robert Edd, Kemp Jayadeva, Alyssa Gabbay, Ruth Nasdor, Bruce Levin, David Stein and Jim Janas.

The President, Joseph Lepski, called the meeting to order at 7:05 p.m.

Minutes: The minutes were approved as written.

Membership: Alan Kaplan was not present and David Stein gave the report. New members included:

Maryland Data Products  
Pizza George  
Morris Shade  
Maria's Restaurant  
Baskin Robbins  
Uncle Willie's Gourmet BBQ  
Regency Center Limited Partnership  
Sams Barber Shop  
Trout Segal and Doyle Management Company

We now have a total of 161 business members.

Financial Report: The Treasurer, Gene Hamilton, gave a verbal report showing \$3,021.20 in the County account and \$349.44 in the private account.

Collective Advertising: Pat Nickel reported that the next ad was due out October 12th. Any business wishing to participate should contact her.

Zoning: David Stein reported and detailed the fact that we were working out covenant agreements on two zoning issues, one with Mr. Kemp Jayadeva for an office building at Liberty and Offutt Roads and another for Chapman Gardens. After some discussion the covenants were referred to the Executive Committee for the final review.

2

Jim Janas and Lucille Whittingham explained a petition by Edward Ruppert for a Special Hearing to approve the storage and repair of hauling trucks and equipment at Old Court Road and Parkfield Road. The petitioner was seeking to bring the business into conformity with County standards after years of operation. The Board discussed the need to protect against any expansion or substantial change in the business. Mr. Ruppert would attend a future Executive Committee, prior to the hearing, to attempt to work out a suitable agreement.

Bell Mechanical, Inc. had petitioned for a variance to allow for expansion of their facilities on Ellen Road. Jim Janas suggested that the project would not have a significant impact on Liberty Road, itself, but it would affect the nearby residential community. The staff had notified RENEW of this zoning issue and the Board chose not to take a position on the request.

Marriottsville Plaza and the owners had petitioned for a variance which would allow for the existing Sno Ball stand. The staff had contacted the owners on this issue. Several Board members and guests spoke against this request arguing that the stand was unsightly and detracted from the area. Additionally, other stands had, in fact, complied with zoning requirements. Jack Kiner moved that LCDC oppose this petition, Ben Seaman seconded the motion which passed.

CIP Funds: Alan Cohen couldn't attend the meeting and Jim Janas made this report.

We had formally submitted our CIP requests on July 28th. On August 31st the County Executive responded by letter.

Lower Liberty Streetscape - The County remained "completely and totally committed to follow through with beautifying the County-City line area." The plans, however, would have to be modified again.

Deer Park Streetscape - The County agreed with this proposal and requested that we quantify the property owners willing to participate. The staff reported that both the owners of Kings Point Square and Fair Lanes agreed to participate.

Signage, Public and Community - The County was going to allocate \$35,000 for this project. Staff would work through the CIP committee to develop the program.

Traffic engineering Study - The Executive suggested that rather than a study we work with the Traffic Engineering Dept.

Landscaping and Amenities - The County agreed with this proposal. The staff was instructed to develop and implement a strategy which would allow for input from both LCDC members and community groups.

3

Other Business

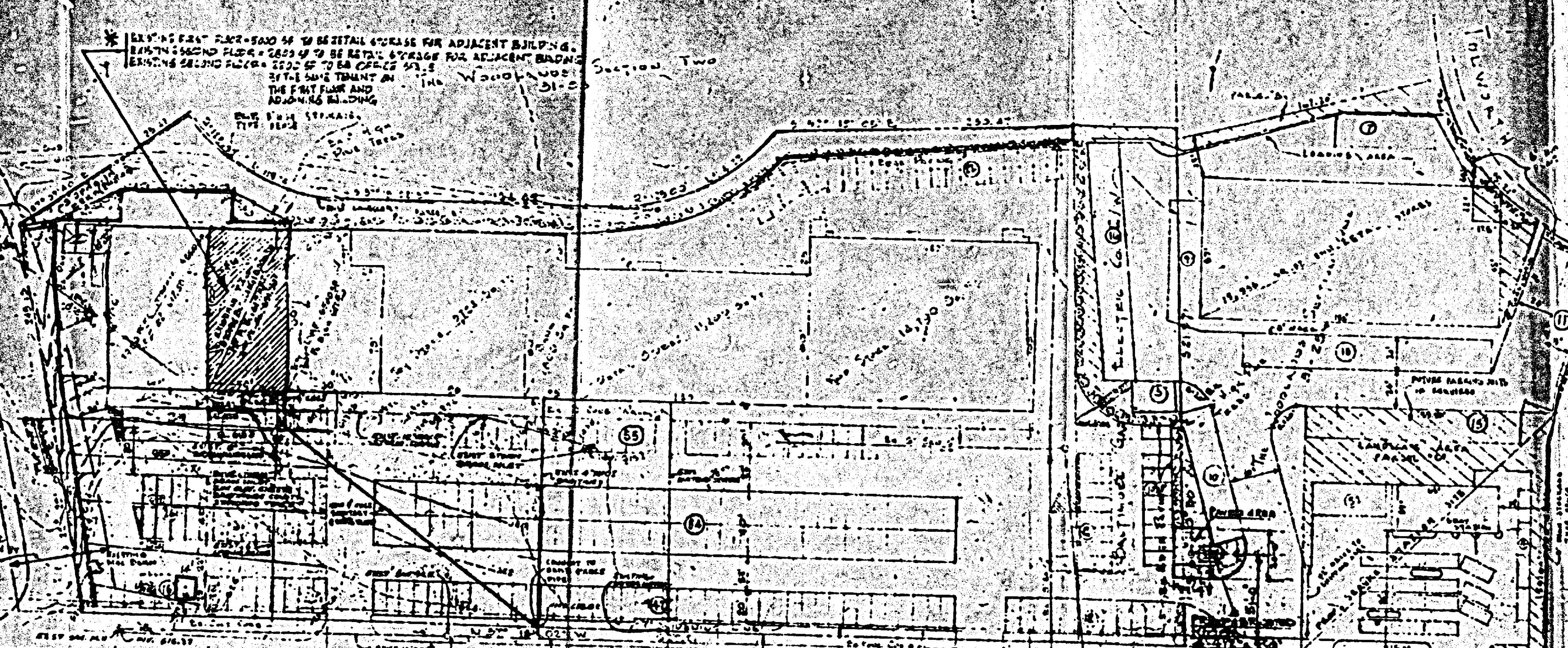
Bradlees - David Stein reported that we had been in contact with Hechingers and they had stated that they intended to lease out the Randallstown store.

Crab Shell Restaurant - The staff was instructed to set up a meeting with the new owner of this business.

Jack Kiner explained that he had attended the Councilman's Neighborhood Leadership Committee and was troubled by several matters including an equitable distribution of County resources to Liberty Road, handicapped parking and the relationship and communication between the business and residential sectors. Following a discussion the President appointed Jack as Chairman of a committee which would examine the need to improve communications with community groups.

The meeting adjourned at 8:50 p.m.





LIBERTY

ROAD

# PLOT PLAN

SCALE 1"=50'

- MECHANICAL NOTES:**
1. ALL OUTSIDE UTILITIES SHALL BE INSTALLED IN COMPLETE COMPLIANCE WITH HARRIS COUNTY CODE REQUIREMENTS AND STANDARDS, BY A LICENSED CONTRACTOR.
  2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD CHECKING THE EXISTING LOCATIONS AND DEPTHS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
  3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES FROM DAMAGE BY THE NEW WORK AND SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.
  4. THE MECHANICAL LEGEND SHOWN TO THE RIGHT OF THE PLOT PLAN SHALL APPLY TO THIS PLOT PLAN.

## GENERAL NOTES:

1. Area of north portion of shopping center = 4.78 acres
2. Area of south portion of shopping center = 1.53 acres
3. Total area of shopping center = 6.31 acres
4. Area of existing north and south shopping center = 6.31 acres
5. Area of proposed 500,000 sq. ft. building = 6.31 acres
6. Total area of existing building = 6.31 acres
7. Required parking spaces based upon one space per 100 sq. ft. of building = 631 spaces
8. Existing parking spaces = 100 spaces
9. Required parking spaces = 531 spaces
10. Required landscaped area = 0.12 acres
11. Existing landscaped area = 0.12 acres
12. Existing landscaped area = 0.12 acres
13. Number of entrances allowed = 4 (Total Frontage = 100 ft.)
14. Number of Entrances Proposed = 4
15. When Harriottsville Road is widened, shopping center will be constructed on Harriottsville Road. Total parking available will be 150 spaces. Landscaped area will be 0.12 acres plus additional 0.12 acres.
16. This Plot Plan has been prepared from information furnished by the owner and shows all existing grades, existing building footprints, parking and boundaries. The general development plan is shown on the attached site plan.
17. Existing Coning = 12"
18. Obstructions shown on this drawing are for the existing building only and the contractor does not warrant or guarantee the correctness or the completeness of the information shown on this drawing. The contractor must verify such information in the field.
19. Existing inlets or manholes which shall be replaced or repaired or replaced and such replacement shall be subject to the approval of the city engineer.
20. All present work on electrical or mechanical systems shall be raised or lowered as required to the new grades of the street.
21. All existing work or new work which is essential to the project may become damaged during the course of construction and shall be replaced and such replacement shall be subject to the approval of the city engineer.
22. The contractor shall provide, check and maintain all necessary measurements, as may be required, for the project.
23. The contractor shall provide, check and maintain all necessary measurements, as may be required, for the project.
24. Denotes Existing Grades
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PETITIONER'S  
EXHIBIT 1

CONSTRUCTION CO.

HARRIOTTSVILLE  
PLAZA

Sign